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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/617,906	07/17/2000	Kazuhiro Minami	JP9-1999-0152US1	7371

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EXAMINER	
SCHLAIFER, JONATHAN D	
ART UNIT	**PAPER NUMBER**
2178	

DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/617,906	MINAMI ET AL.	
	Examiner	Art Unit	
	Jonathan D. Schlaifer	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 April 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *4/30/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communication: Amendment 4/28/2004, with new prior art filed on 4/30/2004.
2. The objections to the specification have been withdrawn as necessitated by amendment.
3. Claims 1-11 are pending in the case. Claims 1-11 are independent claims.
4. Claim 4 has been amended.

Information Disclosure Statement

The information disclosure statement filed 4/30/2004 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. **Claims 1, 3, 7 and 9 remain rejected under 35 U.S.C. 102(a) as being anticipated by Ferrel et al. (USPN 5,860,073—filing date 7/17/1995), hereinafter Ferrel.**
6. **Regarding independent claim 1,** Ferrel discloses in the Abstract a display-information deciding method, executed by a display-information deciding

apparatus, for transmitting display-information to an information terminal having a display screen and an input unit (the stylesheets operate on systems with displays and input units, as portrayed in Figure 2) comprising the steps of: a) analyzing a page template specified by a display-information obtaining request sent from the information terminal (in col. 3, lines 55-67, there is an electronic publishing system which analyzes a stylesheet); b) obtaining display-area specifying information and display attribute information from said page template (in order for a stylesheet to operate on a display as in col. 3, lines 38-45, it inherently must include display information); c) obtaining a plurality of pieces of content specifying information related to said display-area specifying information (in col. 3, lines 45-53, pieces of information are processed with respect to the stylesheet); d) inspecting a plurality of display conditions respectively related to each of said pieces of content specifying information to determine whether each displaying condition has a content to be embedded in said page template; (in col. 3, lines 45-53, pieces of information are processed with respect to the stylesheet) e) shaping at least one content determined to be a content to be embedded in said page template in accordance with said display attribute information(in col. 3, lines 45-53, pieces of information are processed with respect to the stylesheet; this limitation is necessary to transform in accordance with the stylesheet); and f) transmitting said at least one shaped content to the information terminal (the stylesheet transmits its output to a viewer).

7. **Regarding independent claim 3,** Ferrel discloses in the Abstract a display-information deciding method, executed by a display-information deciding

apparatus, for transmitting display-information to an information terminal having a display screen and an input unit (the stylesheets operate on systems with displays and input units, as portrayed in Figure 2) comprising the steps of: a) analyzing a page template specified by a display-information obtaining request sent from the information terminal (in col. 3, lines 55-67, there is an electronic publishing system which analyzes a stylesheet); b) obtaining display-area specifying information and display attribute information from said page template (in order for a stylesheet to operate on a display as in col. 3, lines 38-45, it inherently must include display information); c) obtaining a plurality of pieces of content specifying information related to said display-area specifying information (in col. 3, lines 45-53, pieces of information are processed with respect to the stylesheet); d) inspecting a plurality of display conditions respectively related to each of said pieces of content specifying information to determine whether each displaying condition has a content to be embedded in said page template; (in col. 3, lines 45-53, pieces of information are processed with respect to the stylesheet) e) transmitting said at least one shaped content judged as a content to be embedded in said page template to the information terminal (the stylesheet transmits its output to a viewer).

8. **Regarding independent claim 7,** it is a storage medium that stores a program for performing the method of claim 1, and is rejected under similar rationale.

9. **Regarding independent claim 9,** it is a storage medium that stores a program for performing the method of claim 3, and is rejected under similar rationale.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. **Claims 2 and 8 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrel, further in view of Davis et al. (USPN 5,796,952—filing date 3/21/1997).**

11. **Regarding independent claim 2,** Ferrel discloses in the Abstract a display-information deciding method, executed by a display-information decideing apparatus, for transmitting display-information to an information terminal having a display screen and an input unit (the stylesheets operate on systems with displays and input units, as portrayed in Figure 2) comprising the steps of: a) analyzing a page template specified by a display-information obtaining request sent from the information terminal (in col. 3, lines 55-67, there is an electronic publishing system which analyzes a stylesheet); b) obtaining display-area specifying information and display attribute information from said page template (in order for a stylesheet to operate on a display as in col. 3, lines 38-45, it inherently must include display information), c) obtaining a plurality of pieces of content specifying information related to said display-area specifying information (in col. 3, lines 45-53, pieces of information are processed with respect to the stylesheet); d) inspecting a plurality of schedule conditions respectively related to each of said pieces of content specifying information to determine whether each displaying condition has a content to be embedded in said page template; (in col.

3, lines 45-53, pieces of information are processed with respect to the stylesheet, which must inherently manage schedule issues for content in order to successfully display disparate pieces of content concurrently), f) transmitting said at least one shaped content to the information terminal (the stylesheet transmits its output to a viewer). However, Ferrel fails to disclose that the pieces of content c) are banner beans, d) that schedule conditions are inspected to the banner beans, e) obtaining display-image specifying information and link-destination-URL specifying information from a banner bean judged as a bean including a banner to be embedded in the page template, or f) that there is transmitted information corresponding to the link-destination-URL. However, Davis, in col. 15, lines 20-41 describes a banner bean, and describes advantages that it is easily configurable and robust. It would have been obvious to one of ordinary skill in the art at the time of the invention to have used banner beans in combination with Ferrel's invention such that the pieces of content c) are banner beans, d) that schedule conditions are inspected to the banner beans, e) obtaining display-image specifying information and link-destination-URL specifying information from a banner bean judged as a bean including a banner to be embedded in the page template, or f) that there is transmitted information corresponding to the link-destination-URL because then the modification would have made the beans to be easily configurable and robust.

12. **Regarding independent claim 8,** it is a storage medium that stores a program for performing the method of claim 2, and is rejected under similar rationale.

13. **Claims 4 and 10 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrel, further in view of Beauchamp et al. (USPN 6,621,505 B1—filing date 9/30/1998), hereinafter Beauchamp.**

14. **Regarding independent claim 4,** Ferrel discloses in the Abstract a display-information deciding method, executed by a display-information deciding apparatus, for transmitting display-information to an information terminal having a display screen and an input unit (the stylesheets operate on systems with displays and input units, as portrayed in Figure 2), but Ferrel fails to disclose a) defining a page-template bean for holding as a property information for specifying an HTML file, including a Servlet, defining section containing display-area specifying information as a parameter, b) obtaining content specifying information from a part bean determined to be a part bean for holding content specifying information for specifying content of a part displayed in a display area as a property, c) setting schedule information serving as a condition for contents to be displayed in said display area to said part bean, and d) holding said part bean and display-area specifying information by relating said part bean and said display-area specifying information with each other. However, Beauchamp reveals the use of a template that operates in conjunction with a JavaBean (see col. 14, lines 45-47). Further, Beauchamp reveals that the invention involves a communications servlet that regulates HTML output in col. 19, lines 48-67. Thus, Beauchamp meets the limitations of the claim because the servlet operates in conjunction with a page-template bean, which must obtain content from a part bean to operate successfully, along with setting schedule information for the part,

and since the bean is a template bean, it will be associated with the display-area. The advantage of this arrangement is that it provides for use of modular, easily modifiable software components. It would have been obvious to one of ordinary skill in the art at the time of the invention to have used a template bean in conjunction with a servlet in the manner of Beauchamp because it would have provided for use of modular, easily modifiable software components.

15. **Regarding independent claim 10,** it is a storage medium that stores a program for performing the method of claim 4, and is rejected under similar rationale.

16. **Claim 5 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrel.**

17. **Regarding independent claim 5,** Ferrel discloses in the Abstract a display-information deciding method, executed by a display-information deciding apparatus, for transmitting display-information to an information terminal having a display screen and an input unit (the stylesheets operate on systems with displays and input units, as portrayed in Figure 2) comprising the steps of: a) analyzing a page template specified by a display-information obtaining request sent from the information terminal (in col. 3, lines 55-67, there is an electronic publishing system which analyzes a stylesheet); obtaining display-area specifying information and display attribute information from said page template (in order for a stylesheet to operate on a display as in col. 3, lines 38-45, it inherently must include display information); obtaining a plurality of pieces of content specifying information related to said display-area specifying information (in col. 3, lines 45-53, pieces of information are processed with respect to the stylesheet); and c) web

server software for transmitting at least one content judged as a content to be embedded in said page template to the information terminal (in fig. 1, the system is revealed to operate in a network environment). However, Ferrel fails to disclose the use of a schedule engine for inspecting a plurality of display conditions respectively related to each of said pieces of content specifying information to determine whether each displaying condition has a content to be embedded in said page template. However, in col. 3, lines 45-53, pieces of information are processed with respect to the stylesheet, and it was notoriously well known in the art at the time of the invention that schedule engines may be use to arrange items which must operate concurrently, as with items in a stylesheet, in order prevent conflicts between disparate elements of complex systems. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a schedule engine with the elements of a stylesheet to prevent conflicts between disparate elements of a complex system.

18. **Claim 6 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrel, further in view of Beauchamp, and further in view of Rogers et al. (USPN 6,621,505 B1—filing date 9/30/1998), hereinafter Rogers.**

19. **Regarding independent claim 6,** Ferrel discloses in the Abstract a display-information deciding method, executed by a display-information deciding apparatus, for transmitting display-information to an information terminal having a display screen and an input unit (the stylesheets operate on systems with displays and input units, as portrayed in Figure 2), defining section containing display-area specifying information as a parameter, but Ferrel fails to disclose 1)

response to an HTML file, including a Servlet defining section, and 2a) a component DB for storing a part bean holding content specifying information for specifying the content of a part displayed in a display area as a property, and 2b) an arrangement rule DB for storing an arrangement object for holding said part bean, the display- area specifying information and schedule information serving as a condition for said part bean to be displayed in said display area by relating said part bean, the display-area specifying information, and said schedule information with each other. However, Beauchamp reveals the use of a template that operates in conjunction with a JavaBean (see col. 14, lines 45-47). Further, Beauchamp reveals that the invention involves a communications servlet that regulates HTML output in col. 19, lines 48-67. Thus, Beauchamp meets the limitations of the claim because the servlet operates in conjunction with a page-template bean, which must obtain content from a part bean to operate successfully, along with setting schedule information for the part, and since the bean is a template bean, it will be associated with the display-area. The advantage of this arrangement is that it provides for use of modular, easily modifiable software components. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a template bean in conjunction with a servlet in the manner of Beauchamp because it provides for use of modular, easily modifiable software components. However, Rogers further discloses in the Abstract and col. 6, lines 1-13 the use of a plurality of databases to store and mange JavaBeans in order to allow web-based agents to access JavaBeans. It would have been obvious to one of ordinary skill in the art at the time of the

invention to store JavaBeans in databases in the manner of Rogers in order to allow web-based agents to access JavaBeans.

20. **Claim 11 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Davis, further in view of Ferrel, further in view of Beauchamp.**

21. **Regarding independent claim 11,** Davis, in col. 15, lines 20-41 describes a banner bean, and describes advantages that it is easily configurable and robust, such that it is a) a banner bean holding banner-display-image specifying information for specifying a display image of a banner displayed in a display area and banner-link-destination-URL specifying information for specifying a link destination URL of said banner as properties. Davis fails to disclose that is stored on a storage medium for storing an object to be accessed by a display-information deciding apparatus for transmitting the corresponding display information in response to a request for obtaining an HTML file including a Servlet defining section containing display-area specifying information and display attribute information as parameters sent from an information terminal having a display screen and an input unit, comprising, and b) an arrangement object for holding said banner bean, the display-area specifying information, and schedule information serving as condition for said banner to be displayed in a display area by relating said banner bean, display-area specifying information, and said schedule information with each other. However, Beauchamp reveals the use of a template that operates in conjunction with a JavaBean (see col. 14, lines 45-47). Further, Beauchamp reveals that the invention involves a communications servlet that regulates HTML output in col. 19, lines 48-67. Thus, Beauchamp meets the

limitations of the claim because the servlet operates in conjunction with a page-template bean, which must obtain content from a part bean to operate successfully, along with setting schedule information for the part, and since the bean is a template bean, it will be associated with the display-area. The advantage of this arrangement is that it provides for use of modular, easily modifiable software components. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a template bean in conjunction with a servlet in the manner of Beauchamp because it provides for use of modular, easily modifiable software components. Ferrel discloses in the Abstract a storage medium for storing an object to be accessed by a display-information deciding apparatus, executed by a display-information deciding apparatus, for transmitting display-information to an information terminal having a display screen and an input unit (the stylesheets operate on systems with displays and input units, as portrayed in Figure 2). This provides an interactive system for a stylesheet to operate upon. It would have been obvious to one of ordinary skill in the art at the time of the invention to use an apparatus as in Ferrel because it would provide an interactive system for a stylesheet to operate upon.

Response to Amendment

22. Applicant's arguments filed 4/28/2004 have been fully considered but they are not persuasive.

23. Applicant traverses the Examiner's rejection of claims 1,3,7, and 9 under 35 U.S.C. 102(a) as being anticipated by Ferrel et al. The Applicant's argument for claims 1 and 7 is that step d) of inspecting a plurality of display conditions related

to the pieces of content to determine whether each display condition has a content to be embedded in said page template is missing from the Examiner's rejection. The Applicant argues that this is missing in the stylesheet processing disclosed in the Examiner's references. However, the Examiner points out that such processing is central and inherent to processing a stylesheet, which attempts to filter formatting as it applies to such entities as web pages and therefore this traversal is invalid for Claims 1,3,7 and 9.

24. Applicant traverses the Examiner's rejection of claims 2 and 8 under 35 U.S.C. 103 as being unpatentable over Ferrel, and further in view of Davis. The point at issue between the Examiner and the Applicant is whether schedule conditions are inherent in order to successful display disparate pieces of content concurrently. Even if no elaborate scheduling mechanism is in place, placing the content in place in no particular order constitutes a simple scheduling mechanism. Furthermore, the Applicant objects that there is nothing embedded in the page template. However, Java applets, by their very nature are embedded in the page template and this traversal is hence invalid. The additional capabilities that the applets offer would have provided obvious justification for combining.

25. Applicant traverses the Examiner's art with respect to the rejections of claims 2 and 8 under 35 U.S.C. 103 by alleging that none of the cited references teach step (e). However, step (e) would have been an obvious use of the banner beans described in Davis, and would have followed from their incorporation into Ferrel.

26. Applicant traverses the Examiner's rejections of claims 4 and 10 as being unpatentable over Ferrel, further in view of Beauchamp. The Examiner here

reiterates his previous remarks with regards to scheduling information, in that they are an inherent property of asynchronous event management and are hence present in the references.

27. Applicant further alleges with respect to the rejection of Claim 4 that the servlet in the bean contains display-specifying information as a parameter. It was notoriously well known in the art at the time of the invention that servlets require display-specifying information as parameters because they exist as dependent programs and require the specification of display characteristics.

28. Applicant alleges that none of the references teach or suggest an arrangement object holding the part bean, the display-area specifying information, and information serving as a condition for said bean to be displayed in the display area. However, for reasons shown in the Office Action, these are parts of a single units which is to be combined, and it was notoriously well known in the art at the time of the invention that separate parts of a unified entity can be stored as an object to make manipulation of the parts more efficient.

29. Applicant further traverses the rejection of Claim 5 as being unpatentable over Ferrel. Applicant fails to argue with the validity of the Examiner's statement that schedule engines are well-known means of avoiding conflicts between disparate elements of complex systems, instead raising an elaborate argument about how simply because it was known in the art, it does not necessarily remove the patentability of the instant invention. However, the Examiner insists that the schedule engine's common use would have made it an obvious element available for combination with the remainder of the claim and hence would render the

Applicant's argument invalid. Furthermore, there is a motivation to include a schedule engine in that it would, as noted in the Office Action, help avoid the chance of internal conflict tin the invention.

30. Applicant traverses the rejection of claim 6 by alleging that none of the references teach the features of "an arrangement rule DB for storing an arrangement object for holding said part bean, the display-area specifying information, and schedule information serving as a condition for said part bean to be displayed in said display area by relating said part bean, the display-area specifying information, and said schedule information with each other." However, these elements are combined in the claim as in the analogous situation for components of claim 4, above, and it would have been obvious to combine them into a single object to make manipulation of the parts more efficient.

31. Applicant traverses claim 11 under 35 U.S.C. 103 as being unpatentable over Davis, in view of Ferrel, and further in view of Beauchamp. The applicant alleges that the feature of a banner bean holding 1) a banner-display-image specifying information for specifying a display image of a banner displayed in a display area and 2) banner-link-destination-URL specifying information for specifying information a link destination URL of said banner as properties. While the references do not teach this specifically, they may be combined in an obvious manner as provided in the Office Action to yield such an object. Hence, the traversal is invalid. The traversal related to the combination of these components is invalid for the same reason as the analogous situations in Claim 4 and Claim 6.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

USPN 5,644,776 (filing date 6/7/1995)—DeRose et al.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan D. Schlaifer whose telephone number is 703-305-9777. The examiner can normally be reached on 8:30-5:00, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JS

STEPHEN S. HONG
PRIMARY EXAMINER